

REMARKS

Claims 1-21 are pending in the current application. Claim 1 is the sole independent claim. Claims 1, 5 and 8 have been amended to correct minor informalities. No new matter has been added. In view of the following remarks, favorable reconsideration and allowance of the present application is respectfully requested.

ALLOWABLE SUBJECT MATTER

Applicants appreciate the Examiner's indication that claims 4-7 stand objected to being dependent upon a rejected base claim but would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims. However, in view of the below remarks, Applicants submit that claims 1-3 and 8-21 are also allowable.

OBVIOUSNESS-DOUBLE PATENTING REJECTION

Claims 1-3 and 8-21 stand provisionally rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 3-11 of co-pending Application No. 10/649,823. Applicants traverse.

The Examiner asserts that "[a]lthough the conflicting claims are not identical, they are not patentably distinct from each other..." Action, p. 2. Applicants disagree.

Application 10/649,823 is directed to a method for preparing a mesoporous material that may have a pore size of 10nm or less with uniform pore size distribution by using a Gemini surfactant.

Example embodiments of the present invention relate to a composition for preparing a porous dielectric thin film, which may include a pore generating material, matrix precursor and/or a solvent.

Applicants submit that Application No. 10/649,823 fails to suggest wherein the pore generating material of Gemini detergent may be represented by the formula (8), quaternary alkyl ammonium salt represented the formula (9) or a mixture thereof, which may further include a cyclodextrin derivative represented by the formula (12) of the present application. Non-limiting embodiments may be found throughout the Specification. The Examiner's attention is respectfully directed, for example, to paragraphs [0029]-[0049] of the Specification.

Although the Gemini surfactant is identical to the Gemini detergent, other materials (*e.g.*, quaternary alkylammonium salt and/or a cyclodextrin derivative), aside from the Gemini detergent, may be used in the pore generating material according to example embodiments of the present invention.

In addition, the matrix precursor, described by example embodiments of the present invention, differs from the precursor of Application No. 10/649,823. The matrix precursor provided may be prepared using the compounds represented by Formulas (1) to (7).

Therefore, Applicants submit that alternative properties (*e.g.*, chemical, mechanical and/or low dielectric properties) may be demonstrated the porous dielectric thin film provided in accordance with example embodiments of the present invention, for example, as shown in Tables 2-5. Thus, Applicants submit that the present invention is patentably distinct over Application No. 10/649,823.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-21 in connection with the present application is earnestly solicited.

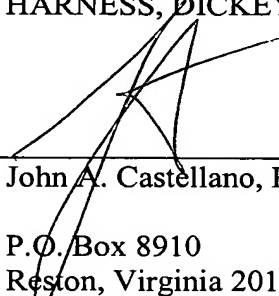
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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